

Georgia Department of Natural Resources

**Environmental Protection Division • Watershed Protection Branch
2 Martin Luther King Jr. Dr • Suite 1152 East • Atlanta • Georgia 30334**

(404) 463-1511; Fax (404) 651-8455

Judson H. Turner, Director

JUN - 3 2016

Ms. Deanna Greco
National Park Service
Chattahoochee River National Recreation Area
1978 Island Ford Parkway
Sandy Springs, Georgia 30350

Re: Request for Stream Buffer Variance under
Provisions of O.C.G.A. 12-7-6(b)(15)
Wildcat Creek Stream Restoration
City of Sandy Springs

Dear Ms. Greco:

Thank you for your letter of March 14, 2016 regarding the above referenced stream buffer variance request. We appreciate you making us aware of your concerns.

After receiving your comments we forwarded them to the variance applicant and requested that they consider them and provide a response. We have reviewed the applicant's response (enclosed) and are satisfied that your concerns have been adequately addressed. Because the applicant has met all applicable requirements, the requested variance has been granted. A copy of the Director's letter granting the variance is enclosed.

Again, thank you for taking the time to share your concerns with us; we appreciate your commitment to helping us protect our state's water resources. If you have any questions, please contact Michael Berry, Erosion and Sedimentation Control Unit, at (404) 651-8554.

Sincerely,



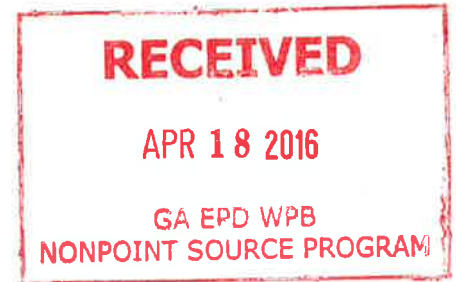
Glen Behrend, P.E.
Program Manager
NonPoint Source Program

GB:mb

Enclosure

April 13, 2016

Mr. Michael Berry
Georgia Environmental Protection Division
Watershed Protection Branch
Erosion and Sedimentation Control Unit
2 Martin Luther King, Jr. Drive SW, Suite 1462
Atlanta, Georgia 30334



**Subject: Response to Comments for Proposed Wildcat Creek Stream Restoration
City of Dunwoody, Georgia
Public Advisory Control Number: BV-044-16-02**

Dear Mr. Berry:

On behalf of the project applicant, Dunwoody Nature Center, please let this letter serve as a response to the comments your office received on March 22, 2016 from the National Park Service regarding the above referenced project. In reviewing the comments, the project applicant agrees that these comments have merit, are in the best interest of the public, and are consistent with the intent of the project itself. Below, please see the project applicant's specific responses to each comment:

COMMENT #1:

Erosion and Sedimentation

In general, to protect the stream and water quality during construction, Best Management Practices (BMPs) should be designed and implemented to comply with the standards and specifications outlined in the Manual for Erosion and Sedimentation Control in Georgia (Georgia Soil and Water Conservation Commission). An approved erosion and sedimentation control plan should be implemented before soil disturbances occur within the project site to avoid violating the Erosion and Sedimentation Act of 1975.

Currently, the section of the river into which this tributary leads is unimpaired, fully meeting its designated uses for drinking water and recreation. CRNRA is invested in upholding the current state of this water body, as any addition of sediment or run-off would disrupt the current water quality standard. Due to the proximity of this proposed project to the Chattahoochee River, caution is advised to prevent a flush of sediment deposits during the restoration process.

Recommendation: *After proper installation, continued and unfailing maintenance and repair of the BMP's should be guaranteed in order to ensure their effectiveness and specifically to control the effects of this project on the river.*

RESPONSE #1:

The project sponsor shares the concerns expressed in the comment above. An Erosion and Sedimentation Control plan (including BMPs) was supplied as part of the Stream Buffer Variance application. Contractors will install and maintain the BMPs at all times until the project site has achieved stabilization, and the risk of a sediment flush to downstream areas is negligible. The project will comply with the Erosion and Sedimentation Act of 1975 at all times. This will explicitly be addressed in the bid documents as well.

Additionally, the project sponsor has received a letter of support for the project from the Chattahoochee Riverkeeper (please see attached) primarily based on the fact that the proposed project will reduce sediment transport rates downstream to the Chattahoochee River.

COMMENT #2:

Introduction of Non-native Species

Construction activities have the potential to transport exotic invasive plant and animal species, which are easily transported downstream and can start new colonies in the Chattahoochee River.

Recommendation: *To prevent the introduction of exotic, invasive plant species into the watershed and river corridor, we request that all equipment be washed and cleaned of mud and debris that may transport unwanted pests.*

RESPONSE #2:

The Dunwoody Nature Center also strives to maintain diverse, natural, and native ecosystems at their facilities. Therefore, the project sponsor shares in these concerns, not just for the success of the proposed project, but for the overall health of the ecosystem within the facility.

As part of the bid documents, any/all contractor(s) will be required to wash and clean all mud/debris from all equipment prior to mobilizing to the project site and beginning construction. Any new equipment brought to the site during construction activities would be required to undergo the same "treatment" prior to arriving at the project site.

Additionally, the project sponsor is working extensively with Trees Atlanta as a partner in the project. Trees Atlanta has already contributed saplings and plants to replace the invasive species that will be removed as part of the project.

At this time if your office is aware of any further issues that require addressing, please feel free to contact us immediately. We look forward to implementing the proposed stream and riparian restoration once authorization is received.

Respectfully,



Matt Hughes
Mitigation Management



Alan Mothner, Executive Director
Dunwoody Nature Center



Keeping Watch Over Our Waters

3 Puritan Mill 916 Joseph E. Lowery Blvd. Atlanta, GA 30318 404.352.9828 Fax 404.352.8676 www.chattahoochee.org

January 21, 2015

RE: Letter of Support – Wildcat Creek Restoration Project

To whom it may concern,

I am writing to express support for the above referenced project. Chattahoochee Riverkeeper ("CRK") is a nonprofit environmental advocacy organization with over 7,000 members whose mission is to protect the Chattahoochee River, its tributaries, and watershed, in order to restore and preserve their ecological health for the people and wildlife that depend on the river system.

Many tributaries to the Chattahoochee River, including Wildcat Creek, are degraded and suffer from instream channel erosion. This results in the destruction of aquatic habitat, increased sedimentation pollution and downstream flooding. The Dunwoody Nature Center's proposal to implement a stream restoration project at this location will naturally stabilize the banks of Wildcat Creek which will drastically slow the current rate of erosion and will prevent the transport of additional sediments downstream. The project will also enhance aquatic habitat in Wildcat Creek and by preventing the transport of sediments downstream, will enhance habitat in Ball Mill Creek and the Chattahoochee River as well.

We ask for your support in funding this important project and stand by to assist the project partners in any way necessary.

Sincerely,

A handwritten signature in dark ink that reads "JASON ULSETH". The signature is written in a cursive, slightly slanted style.

Jason Ulseth
Riverkeeper



United States Department of the Interior

National Park Service
Chattahoochee River
National Recreation Area
1978 Island Ford Parkway
Sandy Springs, GA 30350

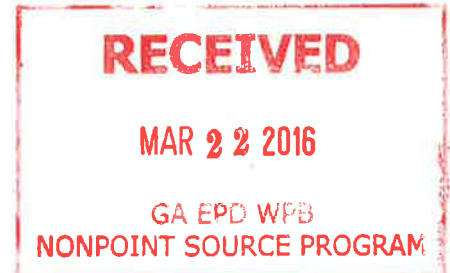


IN REPLY REFER TO:

L7619 (CHAT)

March 14, 2016

Program Manager
NonPoint Source Program, Erosion and Sedimentation Control
2 Martin Luther King Jr. Drive, SW, Suite 1456
Atlanta, GA, 30334



Dear Program Manager:

This letter is in response to Public Advisory control number BV-044-16-02 City of Dunwoody, Georgia for permission to encroach on the 25-foot State waters buffer. The variance is considered under the Georgia EPD Buffer Variance Criteria and Procedure 391-3-7.05(2)(B), the project will result in the restoration or enhancement to improve water quality and/or aquatic habitat quality. This project will involve restoring the streams natural patten, profile, and dimensions. The applicant estimates that 286 linear feet of Wildcat Creek will be impacted during the restoration project.

Congress established the Chattahoochee River National Recreation Area (CRNRA), a unit of the National Park Service (NPS), in 1978 to assure the preservation and protection of a 48-mile stretch of the Chattahoochee River from Buford Dam to Peachtree Creek. CRNRA consists of the river and its bed along with the lands, waters, and interests within the park's authorized boundary. Congress expressly provided the Secretary of the Interior, acting through the National Park Service (NPS) and CRNRA, with the authority to protect the "natural, scenic, recreation, historic and other values" of the Chattahoochee River. We are concerned that the project could cause detrimental impacts to park resources if proper Best Management Practices (BMPs) are not followed and maintained. It is with these concerns in mind that NPS offers the following comments and recommendations:

Erosion and Sedimentation

In general, to protect the stream and water quality during construction, Best Management Practices (BMPs) should be designed and implemented to comply with the standards and specifications outlined in the *Manual for Erosion and Sediment Control in Georgia* (Georgia Soil and Water Conservation Commission). An approved erosion and sedimentation control plan should be implemented before soil disturbances occur within the project site to avoid violating the Erosion and Sedimentation Act of 1975.

Currently, the section of the river into which this tributary leads is unimpaired, fully meeting its designated uses for drinking water and recreation. CRNRA is invested in upholding the current

state of this water body, as any addition of sediment or run-off would disrupt the current water quality standard. Due to the proximity of this proposed project to the Chattahoochee River, caution is advised to prevent a flush of sediment deposits during the restoration process.

Recommendation: After proper installation, continued and unfailing maintenance and repair of the BMP's should be guaranteed in order to ensure their effectiveness and specifically to control the effects of this project on the river.

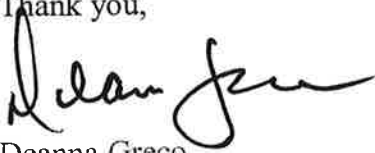
Introduction of Non-native Species

Construction activities have the potential to transport exotic invasive plant and animal species, which are easily transported downstream and can start new colonies in the Chattahoochee River.

Recommendation: To prevent the introduction of exotic, invasive plant species into the watershed and river corridor, we request that all equipment be washed and cleaned of mud and debris that may transport unwanted pests.

We appreciate your consideration of these comments. Please feel free to contact park's Chief of Planning and Resource Management, Deanna Greco, directly if you have any questions or concerns that we could help to address. She can be reached at 678-538-1321 or by email at Deanna_Greco@nps.gov.

Thank you,

A handwritten signature in black ink, appearing to read 'Deanna Greco', written in a cursive style.

Deanna Greco
Acting-Superintendent